TRAVANCORE,
GOVERNMENT GAZETTE,
SUPPLEMENT.

Tuesday,
10th Sept. 1901

LIBRARY ARCHIVES Kerala Legislative Assembly

Abstract Proceedings of the Travancore Legislative Council.

The Council met in the Dewan's room, Public Offices, at 3 P. M., on Saturday the 7th September 1901. / 23rd Chingom 1077.

PRESENT.

M. R. Ry. K. Krishnaswamy Rao Avergal, Dewan Bahadur, F. M. U., Dewan ... ... *Presiding.*
M. R. Ry. T. Kunhiraman Nair Avergal.
M. R. Ry. P. Thanu Pillai Avergal, M. A., F. M. U.
M. R. Ry. T. Rajaram Row Avergal, B. A.
Mr. T. C. Poonen, B. A., Barrister-at-Law.
M. R. Ry. M. Sivasubramonia Pillai Avergal, B. A.
M. R. Ry. S. Dharmaraja Iyer Avergal.

The following petition was reported to the Council.

No.	From whom received.	Subject.
1	Kanakku Sivathanuvan Subramonian and 12 others of Padmanabhapuram.	Lepers Bill.

THE LEPERS BILL.

Mr. Thanu Pillai.—I have already explained to the Council at the last meeting the scope and object of this Bill. I do not think I need trouble you with any observations at this stage. I shall, therefore, simply move that the Bill be read in Council and the principle of it affirmed.

Seconded by Mr. Kunhiraman Nair.

Mr. Sivasubramonia Pillai.—I have no hesitation in giving my assent to the principle of this measure, as it is calculated to do immense good to the community at large. It is a common sight to see pauper lepers before the Roman Catholic church at Trivandrum, the Protestant church at Nagercoil, and, on festival occasions,

on the sides of the roads leading to Suchindram, Mandacaud and Kumaracovil in South Travancore, sitting in rows and exciting the pity and sympathy of the passers-by by exposing the leprous condition of their bodies and their deformities. I have also seen lepers bathing in public tanks, and leper women taking water from village wells and selling sweatmeats, as if nothing were the matter. On public occasions, these people move very freely with other people, and no one dare speak or hint about the nature of the disease they are suffering from. It has also been my lot to sit side by side with leper vakils and sometimes to appear before leper officials too. The Bill does not say a word about these classes of people, perhaps for the reason that to purge the service and the bar, no legislation is necessary as the Government and the High Court have already the power to do so. It is a great concession, in my opinion, that the scope of the Bill is restricted to urban areas, for I believe it is there that the necessity is great. It might appear at first sight to a casual observer that the Bill is an unnecessary interference with the liberties of His Highness' subjects. But a little reflection will convince an unbiassed mind that curbing the liberties of particular individuals is at times necessary to maintain the growth and prosperity of society at large. In fact, society implies restriction of individual liberties to suit the convenience of the whole.

As for the definition of the word "leper," my learned friend has chosen the point of 'ulceration' to be the minimum standard. I am not satisfied with this limit. I would widen the scope of the Bill by reducing the standard. I have often come across persons who, under cover of gown and boot, pass for educated men and move freely in society, but whose bodies emanate, nevertheless, at a few feet distance abominable smells which, doctors say, signifies the presence of leprosy in the system. The disease in such bodies may never come to the stage of ulceration at all, but nevertheless the danger to society is no way lessened. Their fingers and toes get 'cribbed' and shortened, and the fingers can hardly hold a pen between them. As to the contagious nature of such bodies, Lord Bacon, the greatest statesman and philosopher of England in the days of King James I, says.—"As in the law of leprosy where it is said, if the whiteness have over-spread the flesh, the patient may pass abroad for clean; but if there be any whole flesh remaining, he is to be shut up for unclean, one noteth a principle of nature, that putrefaction is more contagious before maturity than after* * *." For these reasons, I would advise a modification in the definition of the word 'leper', but if my learned friend the Mover is not inclined to agree, I do not wish to press the matter but shall surrender to his mature knowledge and judgment. There are some minor omissions here and there in the sections relating to the nature of the custody of lepers and other matters, which may be better dealt with by the Select Committee, and so I stop here.

The Council having affirmed the principle of the Bill, Mr. Thanu Pillai proposed that the Bill be referred to a Select Committee consisting of Messrs. Kunhiraman Nair, Rajarama Row, Sivasubrahmonia Pillai and the Mover, to report within three months.

Seconded by Mr. Poonen.

Carried.

THE CIVIL COURTS REGULATION AMENDMENT BILL.

Mr. Thanu Pillai.—In regard to this Bill, I have only to observe that a letter has been received from a Vakil at Quilon, Mr. K. Padmanabha Pillai, in which he points out that under the rules framed by the High Court under section 3 of the Suits Valuation Regulation, certain classes of suits, such, for instance, as those relating to the removal of Karnavars, Managers or Trustees of religious institutions or charities, suits for divorce, restitution of conjugal rights, &c., are assumed to be of the value of Rs. 1000, and enquires whether, by this Bill, it is intended to transfer suits of this description to the Munsiffs' courts. It seems to me that the matter is not for this Council to consider, but if the High Court think that the rules referred to require any modification, they will doubtless take steps to amend them. I simply mention this here, as I think the letter from the Vakil contains an important point,

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